



and Disposal Service Co., Inc. by certified mail delivered upon defendant Russell Reid Waste Hauling and Disposal Service Co., Inc. on June 16, 2017. (See Exhibit “C”).

4. On June 19, 2017, Frank W. Baer, Esquire entered his appearance on behalf of Petitioners, Frank Ciak and Russell Reid Waste Hauling and Disposal Service Co., Inc. (See docket entries for case pending in the Court of Common Pleas of Philadelphia County attached hereto as Exhibit “D”).

5. No other proceedings have been had in this action known to Petitioners.

6. The above-captioned action is one of which this Court has original jurisdiction pursuant to 28 U.S.C. §1332, and is one which may be removed to this Court by the Defendants Frank Ciak and Russell Reid Waste Hauling and Disposal Service Co., Inc. pursuant to the provisions of 28 U.S.C. §1441 in that it is a civil action wherein it is believed that Plaintiff is claiming the matter in controversy exceeds the sum or value of \$75,000 exclusive of interest and costs and is between citizens of different states.

7. Plaintiff’s Complaint alleges damages in an unstated amount but said to exceed \$50,000. (See Exhibit “A” at “Wherefore” clause).

8. Plaintiff’s Complaint further alleges the plaintiff James Nicholson, Jr. has suffered various serious and permanent personal injuries, including, but not limited to, disc herniations at L4-5 and L5-S1, cervical spine injuries, left leg injuries, left shoulder injuries, as well as other ills and injuries. (See Exhibit “A” at ¶14).

9. Plaintiff’s Complaint alleges that Plaintiff has been obligated to receive and undergo reasonable and necessary medical treatment and rehabilitative services for the injuries

suffered and to incur various expenses for said treatment and services which are or may be in excess of the applicable medical policy limits. (See Exhibit “A” at ¶15).

10. Plaintiff’s Complaint further alleges that Plaintiff has or may suffer severe actual loss of his gross income. (See Exhibit “A” at ¶17).

11. Plaintiff’s Complaint further alleges that Plaintiff has or may suffer impairment of his earning capacity and power. (See Exhibit “A” at ¶18).

12. Plaintiff’s Complaint further alleges that Plaintiff has been caused to incur other financial expenses and losses which have or may exceed amounts which he may otherwise be entitled to recover. (See Exhibit “A” at ¶19).

13. Plaintiff’s Complaint further alleges that Plaintiff has suffered physical pain, aches, mental anguish, humiliation, inconveniences, and loss of life’s pleasures and he may continue to suffer same for an indefinite time in the future. (See Exhibit “A” at ¶21).

14. Plaintiff’s Complaint further alleges that he has been unable to attend to his daily chores, duties and occupations and may be unable to do so for an indefinite period of time in the future. (See Exhibit “A” at ¶22).

15. Petitioner, Frank Ciak is an adult individual who is a citizen of New Jersey and resides at 757 Swedesboro Road, Monroeville, NJ 08343. (See Exhibit “A”).

16. Petitioner, Russell Reid Waste Hauling and Disposal Service Co., Inc. is a New Jersey Corporation and maintains a principal place of business at 200 Smith Street, Keasbey, NJ 08832. (See Exhibit “A”).

17. Based upon the foregoing, it is respectfully submitted that there is complete diversity of citizenship.

18. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332(a) in that the parties are citizens of different states and the amount in controversy, exclusive of interest and costs, exceeds the sum of \$75,000 based on the allegations contained in the Complaint filed in the state court.

19. This Notice of Removal is being timely filed pursuant to 28 U.S.C. §1332(b), which provides in pertinent part that “[t]he notice of removal of a civil action or proceeding shall be filed within thirty (30) days after the receipt by the defendants, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.” Petitioners Frank Ciak and Russell Reid Waste Hauling and Disposal Service Co., Inc. were served with a copy of the original pleadings on or about June 12, 2017 by certified mail, return receipt requested, and as such Petitioners’ filing of the Notice of Removal is timely.

20. Venue is proper in this Court pursuant to 28 U.S.C. §1441(a) because it is the “district and division embracing the place where such action is pending”.

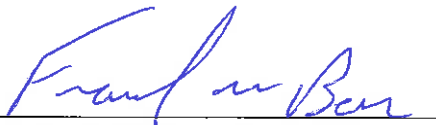
21. Pursuant to 28 U.S.C. §1446(d) a copy of this Notice of Removal is being served upon counsel and a copy will promptly be filed with the Prothonotary’s Office for the Court of Common Pleas of Philadelphia County, Pennsylvania.

22. Pursuant to 28 U.S.C. §1446(a) true and correct copies of all process, pleadings, and orders served in the state court action are attached to this Notice of Removal.

**WHEREFORE**, Petitioners, Frank Ciak and Russell Reid Waste Hauling and Disposal Service Co., Inc. request that the above-captioned action now pending against them in the Court of Common Pleas, Philadelphia County, Pennsylvania, be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

**GIBLEY AND McWILLIAMS, P.C.**

By: 

Frank W. Baer, Esquire  
Attorneys for Petitioners/Defendants  
Attorney I.D. No. 43866  
524 N. Providence Road  
Media, PA 19063  
(610) 627-9500  
(610) 627-2400 - fax



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES NICHOLSON, JR.

Plaintiff,

v.

FRANK CIAK

and

RUSSELL REID WASTE HAULING AND  
DISPOSAL SERVICE CO., INC.

Defendants.

CIVIL ACTION

NO.: 17-CV-

**PROOF OF FILING**

I, Frank W. Baer, Esquire, hereby certify that a copy of the forgoing Notice of Removal shall be filed with the Prothonotary of the Court of Common Pleas of Philadelphia County immediately following acceptance thereof by the U.S. District Court for the Eastern District of Pennsylvania.

**GIBLEY AND McWILLIAMS, P.C.**

By: 

Frank W. Baer, Esquire  
Attorneys for Petitioners/Defendants  
Attorney I.D. No. 43866  
524 N. Providence Road  
Media, PA 19063  
(610) 627-9500  
(610) 627-2400

Frank W. Baer, Esquire  
[fbair@gibleylaw.com](mailto:fbair@gibleylaw.com)  
Attorney I.D. No. 43866  
**GIBLEY AND McWILLIAMS, P.C.**  
524 N. Providence Road  
Media, PA 19063  
(610)627-9500

Attorney for Defendants  
Frank Ciak and Russell Reid Waste Hauling  
and Disposal Service Co., Inc.

JAMES NICHOLSON, JR.	:	COURT OF COMMON PLEAS
Plaintiff,	:	PHILADELPHIA COUNTY, PA
	:	
v.	:	JUNE TERM 2017
	:	
FRANK CIAK and RUSSELL REID WASTE	:	NO.: 0052
HAULING AND DISPOSAL SERVICE	:	
CO., INC.	:	
Defendants.	:	JURY TRIAL DEMANDED
	:	

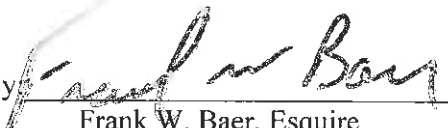
**NOTICE OF REMOVAL**

**TO THE PROTHONOTARY OF THE COURT OF  
COMMON PLEAS OF PHILADELPHIA COUNTY:**

Pursuant to 28 U.S.C. §§1332, 1441 and 1446, defendants, Frank Ciak and Russell Reid Waste Hauling and Disposal Service Co., Inc. files herewith a time-stamped copy of the Notice of Removal, which was filed in the United States District Court for the Eastern District of Pennsylvania on June 23, 2017.

Respectfully submitted,

**GIBLEY AND McWILLIAMS, P.C.**

By   
Frank W. Baer, Esquire  
Attorney for Defendants



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES NICHOLSON, JR.

Plaintiff,

v.

FRANK CIAK

and

RUSSELL REID WASTE HAULING AND  
DISPOSAL SERVICE CO., INC.

Defendants.

CIVIL ACTION

NO.: 17-CV-

**CERTIFICATE OF SERVICE**

I, Frank W. Baer, Esquire, hereby certify that a copy of the attached Notice of Removal has been served on the following individuals by first class, United States mail, postage pre-paid on this 28<sup>th</sup> day of June, 2017:

Prothonotary  
Philadelphia County Court of Common Pleas  
Philadelphia, PA 19107

Jared S. Zafran, Esquire  
Stephen J. Devine, Esquire  
**LAW OFFICE OF JARED S. ZAFRAN**  
1500 Walnut Street  
Suite 1207  
Philadelphia, PA 19102

**GIBLEY AND McWILLIAMS, P.C.**

By: 

Frank W. Baer, Esquire  
Attorneys for Petitioners/Defendants  
Attorney I.D. No. 43866  
524 N. Providence Road  
Media, PA 19063  
(610) 627-9500  
(610) 627-2400

**EXHIBIT “A”**

## THE LAW OFFICE OF JARED S. ZAFRAN, LLC

By: Jared S. Zafran, Esquire

Attorney ID No: 208269

1500 Walnut Street Suite 1207

Philadelphia, PA 19102

(215) 587-0038

Attorney for Plaintiff

Filed and Attested by the  
Office of Judicial Records

06 JUN 2017 11:20 pm

M. BRYANT

JAMES NICHOLSON, JR.

1020 West Rockland Street

Philadelphia, PA 19141

Plaintiff

v.

FRANK CIAK

757 Swedesboro Road

Monroeville, NJ 08343

And

RUSSELL REID WASTE  
HAULING AND DISPOSAL  
SERVICE CO., INC.

200 Smith Street

Keasbey, NJ 08832

Defendants

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS

TERM, 2017

NO.:

MAJOR JURY MATTER  
ASSESSMENT OF DAMAGES  
HEARING REQUESTED

## NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association  
Lawyer Referral and Information Service  
One Reading Center  
Philadelphia, PA 19107  
(215) 238-6333; TTY (215) 451-6197

## AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio, vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociación De Licenciados De Filadelfia  
Servicio de Referencia E Información Legal  
One Reading Center  
Filadelfia, PA 19107

Teléfono: (215) 238-6333; TTY (215) 451-6197

THE LAW OFFICE OF JARED S. ZAFRAN, LLC

By: Jared S. Zafran, Esquire

Attorney ID No: 208269

1500 Walnut Street, Suite 1207

Philadelphia, PA 19102

(215) 587-0038

*Attorney for Plaintiff*

JAMES NICHOLSON, JR.	:	PHILADELPHIA COUNTY
1020 West Rockland Street	:	COURT OF COMMON PLEAS
Philadelphia, PA 19141	:	
	:	TERM, 2017
<i>Plaintiff</i>	:	NO.:
v.	:	
	:	
FRANK CIAK	:	MAJOR JURY MATTER
757 Swedesboro Road	:	ASSESSMENT OF DAMAGES
Monroeville, NJ 08343	:	HEARING REQUESTED
	:	
And	:	
	:	
RUSSELL REID WASTE	:	
HAULING AND DISPOSAL	:	
SERVICE CO., INC.	:	
200 Smith Street	:	
Keasbey, NJ 08832	:	
<i>Defendants</i>	:	

CIVIL ACTION COMPLAINT – 2V MOTOR VEHICLE

1. Plaintiff, James Nicholson, Jr., is an adult individual currently residing at the above-captioned address.
2. Defendant, Frank Ciak, is an adult individual currently residing at the above-captioned address.
3. Defendant, Russell Reid Waste Hauling and Disposal Service Co., Inc., (hereinafter “Russell Reid”), is a corporation organized and operating under the laws of the State of New Jersey, with offices at the above-captioned address and headquartered at 450 Raritan Center Parkway Suite C/D Edison, NJ 08837.

4. At all times relevant and material hereto, Defendant, Russell Reid, acted by and through its agents, servants, workmen and/or employees.

5. At all times relevant and material hereto, Defendant, Frank Ciak, was acting in the course and scope of his agency, servitude, work and/or employment with Defendant, Russell Reid, Inc.

6. On April 8, 2016, at approximately 9:45 A.M., Plaintiff, James Nicholson, Jr., was operating his vehicle traveling southbound on 20<sup>th</sup> Street, approaching its intersection with Diamond Street, in the City and County of Philadelphia, Commonwealth of Pennsylvania.

7. At the aforementioned time and place, Defendant, Frank Ciak, was operating his motor vehicle and was traveling westbound on Diamond Street, approaching its intersection with 20<sup>th</sup> Street, in the City and County of Philadelphia, Commonwealth of Pennsylvania.

8. At the aforesaid time and place, Defendant, Frank Ciak, for reasons unknown, failed to stop at a red light and collided with the front of the vehicle occupied by Plaintiff Nicholson.

9. At all times material to this action, Defendant, Frank Ciak, was so careless and/or negligent that he suddenly and without warning caused his motor vehicle to strike the front of Plaintiff's vehicle.

10. This accident resulted solely from the carelessness and/or negligence of the Defendants, and was due in no manner whatsoever to any act or omission on behalf of the Plaintiff.

COUNT ONE – NEGLIGENCE  
JAMES NICHOLSON, JR. V. FRANK CIAK

11. Plaintiff, James Nicholson, Jr., incorporates herein, by reference thereto, paragraphs one through ten, inclusive, as though the same were set forth herein at length.

12. The negligence and carelessness of Defendant, Frank Ciak, herein consisted of the following:

- (a) Failing to properly operate his vehicle in regard to traffic on a street, road or highway;
- (b) Failing to properly take into consideration the motor vehicles around him;
- (c) Failing to operate a motor vehicle in accordance with existing traffic conditions and traffic controls;
- (d) Failing to operate a motor vehicle under proper and adequate control;
- (e) Failing to apply the brakes in a timely manner;
- (f) Operating a motor vehicle at a speed that was excessive under the conditions and circumstances there existing;
- (g) Failing to keep a proper lookout for other motor vehicles lawfully on the road;
- (h) Failing to exercise due care for the safety of the Plaintiff;
- (i) Operating a vehicle at a speed greater than was reasonable and prudent under the conditions then and there existing, in violation of Section 3361 of the Motor Vehicle Code, 75 Pa.C.S. §3361;
- (j) Operating a vehicle at a speed greater than would permit him to

bring the vehicle to a stop within the assured clear distance ahead,  
in violation of Section 3361 of the Motor Vehicle Code, 75 Pa.C.S.  
§3361;

13. As a result of this accident, Plaintiff, James Nicholson, Jr., has suffered injuries causing serious impairment of body function.

14. As a result of this accident, Plaintiff, James Nicholson, Jr., has suffered injuries which are or may be serious and permanent, including, but not limited to, disc herniations at L4-5 and L5-S1, cervical spine injuries, left leg injuries, left shoulder injuries, as well as other ills and injuries.

15. As a further result of this accident, Plaintiff, James Nicholson, Jr., has been obligated to receive and undergo reasonable and necessary medical treatment and rehabilitative services for the injuries suffered and to incur various expenses for said treatment and services which are or may be in excess of the applicable medical policy limits.

16. As a further result of this accident, Plaintiff, James Nicholson, Jr., has been obligated to receive and undergo reasonable and necessary medical treatment and rehabilitative services for the injuries he suffered, and to incur various expenses for said treatment and services, and he may incur various reasonable and necessary future medical expenses from the injuries sustained, and Defendant is liable for all the same.

17. As a further result of this accident, Plaintiff, James Nicholson, Jr., has or may suffer severe actual loss of his gross income.

18. As a further result of this accident, Plaintiff, James Nicholson, Jr., has or may suffer impairment of his earning capacity and power.

19. As a direct and reasonable result of the accident aforementioned, Plaintiff, James Nicholson, Jr., may hereafter incur other financial expenses and losses which have or may exceed amounts which he may otherwise be entitled to recover.

20. As a direct and reasonable result of the accident aforementioned, Plaintiff, James Nicholson, Jr., may hereafter incur property damage, vehicle rental and storage expenses and losses which have or may exceed amounts which he may otherwise be entitled to recover.

21. As a further result of the accident aforementioned, Plaintiff, James Nicholson, Jr., has suffered physical pain, aches, mental anguish, and humiliation, inconveniences and loss of life's pleasures, and he may continue to suffer same for an indefinite time in the future.

22. As a direct result of this accident, Plaintiff, James Nicholson, Jr., has been unable to attend to his daily chores, duties and occupations and may be unable to do so for an indefinite period of time in the future.

WHEREFORE, Plaintiff, James Nicholson, Jr., demands damages of the Defendant, Russell Reid Waste Hauling and Disposal Service Co., Inc, in a sum in excess of \$50,000.00 plus interest and other relief which the Court may deem appropriate.



COUNT TWO – NEGLIGENCE  
JAMES NICHOLSON, JR. vs. RUSSELL REID WASTE HAULING AND DISPOSAL  
SERVICE CO., INC.

23. Plaintiff, James Nicholson, Jr., incorporates by reference thereto, paragraphs one through twenty-two, inclusive, as though the same were set forth in full, at length.

24. At all times relevant and material hereto, Defendant, Russell Reid, Inc., acted by and through its agents, servants, workmen and/or employees.

25. The negligence and carelessness of Defendant, Frank Ciak, is imputed upon the Defendant, Russell Reid, by and through the doctrine of *respondeat superior*, and consisted of the following:

- (a) Failing to properly operate his vehicle in regard to traffic on a street, road or highway;
- (b) Failing to properly take into consideration the motor vehicles around him;
- (c) Failing to operate a motor vehicle in accordance with existing traffic conditions and traffic controls;
- (d) Failing to operate a motor vehicle under proper and adequate control;
- (e) Failing to apply the brakes in a timely manner;
- (f) Operating a motor vehicle at a speed that was excessive under the conditions and circumstances there existing;
- (g) Failing to keep a proper lookout for other motor vehicles lawfully on the road;

- (h) Failing to exercise due care for the safety of the Plaintiff;
- (i) Operating a vehicle at a speed greater than was reasonable and prudent under the conditions then and there existing, in violation of Section 3361 of the Motor Vehicle Code, 75 Pa.C.S. §3361;
- (j) Operating a vehicle at a speed greater than would permit him to bring the vehicle to a stop within the assured clear distance ahead, in violation of Section 3361 of the Motor Vehicle Code, 75 Pa.C.S. §3361;

27. As a result of this accident, Plaintiff, James Nicholson, Jr., has suffered injuries causing serious impairment of body function.

28. As a result of this accident, Plaintiff, James Nicholson, Jr., has suffered injuries which are or may be serious and permanent, including, but not limited to, disc herniations at L4-5 and L5-S1, cervical spine injuries, left leg injuries, left shoulder injuries, as well as other ills and injuries.

28. As a further result of this accident, Plaintiff, James Nicholson, Jr., has been obligated to receive and undergo reasonable and necessary medical treatment and rehabilitative services for the injuries suffered and to incur various expenses for said treatment and services which are or may be in excess of the applicable medical policy limits.

29. As a further result of this accident, Plaintiff, James Nicholson, Jr., has been obligated to receive and undergo reasonable and necessary medical treatment and rehabilitative services for the injuries he suffered, and to incur various expenses for said

treatment and services, and he may incur various reasonable and necessary future medical expenses from the injuries sustained, and Defendant is liable for all the same.

30. As a further result of this accident, Plaintiff, James Nicholson, Jr., has or may suffer severe actual loss of his gross income.

31. As a further result of this accident, Plaintiff, James Nicholson, Jr., has or may suffer impairment of his earning capacity and power.

32. As a direct and reasonable result of the accident aforementioned, Plaintiff, James Nicholson, Jr., may hereafter incur other financial expenses and losses which have or may exceed amounts which he may otherwise be entitled to recover.

33. As a direct and reasonable result of the accident aforementioned, Plaintiff, James Nicholson, Jr., may hereafter incur property damage, vehicle rental and storage expenses and losses which have or may exceed amounts which he may otherwise be entitled to recover.

34. As a further result of the accident aforementioned, Plaintiff, James Nicholson, Jr., has suffered physical pain, aches, mental anguish, and humiliation, inconveniences and loss of life's pleasures, and he may continue to suffer same for an indefinite time in the future.

35. As a direct result of this accident, Plaintiff, James Nicholson, Jr., has been unable to attend to his daily chores, duties and occupations and may be unable to do so for an indefinite period of time in the future.

WHEREFORE, Plaintiff, James Nicholson, Jr., demand damages of the Defendant, Frank Ciak, in a sum in excess of \$50,000.00 plus interest and other relief which the Court may deem appropriate.

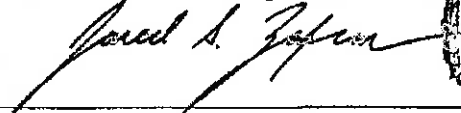
THE LAW OFFICE OF JARED S. ZAFRAN, LLC

BY: Jared S. Zafran  
JARED S. ZAFRAN, ESQUIRE  
*Attorney for Plaintiff*

**VERIFICATION**

Jared S. Zafran, Esquire, hereby deposes and swears that he is the Attorney for the Plaintiff, James Nicholson, Jr., in this action and that the statements made in the foregoing Complaint are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. §4919 relating to unsworn falsifications to authorities.

**THE LAW OFFICE OF JARED S. ZAFRAN, LLC**


A handwritten signature in black ink, appearing to read "Jared S. Zafran", is written over a horizontal line.

JARED S. ZAFRAN, ESQUIRE  
Attorney for Plaintiff, James Nicholson, Jr.

Dated: 6.2.2017

VERIFICATION

James Nicholson, Jr., hereby states that he is Plaintiff in this action and that the statements made in the foregoing Complaint are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. §4919 relating to unsworn falsifications to authorities.

  
James Nicholson, Jr.

Dated: 6-2-17

**EXHIBIT “B”**

**THE LAW OFFICE OF JARED S. ZAFRAN, LLC**

By: Jared S. Zafran, Esquire  
Attorney ID No: 208269  
1500 Walnut Street, Suite 1207  
Philadelphia, PA 19102  
(215) 587-0038

Attorney for Plaintiff

Filed and Attested by the  
Office of Judicial Records  
15 JUL 2017 09:52 AM  
JAN 10 SECTION

JAMES NICHOLSON, JR.  
1020 West Rockland Street  
Philadelphia, PA 19141

*Plaintiff*

v.

FRANK CIAK  
757 Swedesboro Road  
Monroeville, NJ 08343

And

RUSSELL REID WASTE  
HAULING AND DISPOSAL  
SERVICE CO., INC.  
200 Smith Street  
Keasbey, NJ 08832

*Defendants*

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS

JUNE TERM, 2017  
NO.: 0052

MAJOR JURY MATTER  
ASSESSMENT OF DAMAGES  
HEARING REQUESTED

**AFFIDAVIT OF SERVICE**

I, Jared S. Zafran, Esquire, depose and state that I served a true and correct copy of Plaintiffs' Complaint in Civil Action, in connection with the above-captioned action on Defendant, Frank Ciak, via certified mail return receipt at 757 Swedesboro Road, Monroeville, NJ 08343. I further depose and state that the certified mailing was received and signed for, and as such, service of process is successful upon Defendant. See Exhibit "A" attached hereto.

**THE LAW OFFICE OF JARED S. ZAFRAN, LLC**

BY:

  
JARED S. ZAFRAN, ESQUIRE  
Attorney for Plaintiff

*Dated: June 15, 2017*

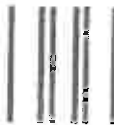


# *EXHIBIT*

*A*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressed</p>
<p>1. Article Addressed to:</p> <p><i>Frank Ciak</i>  <i>151 Swedesboro Rd</i>  <i>Monroeville, NJ 08343</i></p>	<p>B. Received by (Printed Name) _____</p> <p>C. Date of Delivery <i>6/12/17</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p></p> <p>9590 9403 0635 5183 9705 36</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Adult</p>
<p>2. Article Number (transfer from service label)</p> <p>7015 1730 0000 4335 7637</p>	<p>Restricted Delivery</p>
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

UNITED STATES POSTAL SERVICE

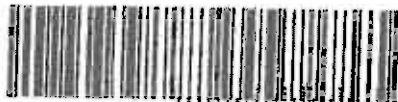


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box\*

Law Office of Jared S. Zafran, LLC  
1500 Walnut Street - Suite 1267  
Philadelphia PA 19102

USPS TRACKING#



9590 9403 0635 5183 9705 36

J. NICHOLSON / JNW

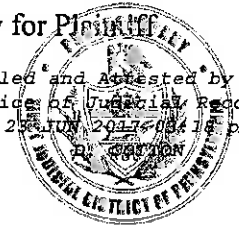
**EXHIBIT “C”**

**THE LAW OFFICE OF JARED S. ZAFRAN, LLC**

By: Jared S. Zafran, Esquire  
Attorney ID No: 208269  
1500 Walnut Street, Suite 1207  
Philadelphia, PA 19102  
(215) 587-0038

Attorney for Plaintiff

Filed and Attested by the  
Office of Judicial Records  
23 JUN 2017 03:18 pm  
J. ZAFRAN



JAMES NICHOLSON, JR.  
1020 West Rockland Street  
Philadelphia, PA 19141

*Plaintiff*

v.

FRANK CIAK  
757 Swedesboro Road  
Monroeville, NJ 08343

And

RUSSELL REID WASTE  
HAULING AND DISPOSAL  
SERVICE CO., INC.  
200 Smith Street  
Keasbey, NJ 08832

*Defendants*

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS

JUNE TERM, 2017  
NO.: 0052

MAJOR JURY MATTER  
ASSESSMENT OF DAMAGES  
HEARING REQUESTED

**AFFIDAVIT OF SERVICE**

I, Jared S. Zafran, Esquire, depose and state that I served a true and correct copy of Plaintiffs' Complaint in Civil Action, in connection with the above-captioned action on Defendant, Russell Reid Waste Hauling and Disposal, via certified mail return receipt at 200 Smith Street, Keasbey, NJ 08832. I further depose and state that the certified mailing was received and signed for, and as such, service of process is successful upon Defendant. See Exhibit "A" attached hereto.

**THE LAW OFFICE OF JARED S. ZAFRAN, LLC**


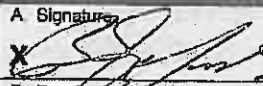
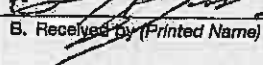
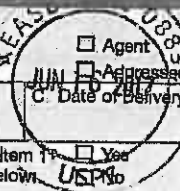
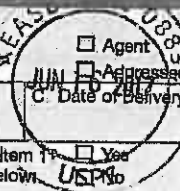
BY:

  
JARED S. ZAFRAN, ESQUIRE  
Attorney for Plaintiff

*Dated: June 23, 2017*

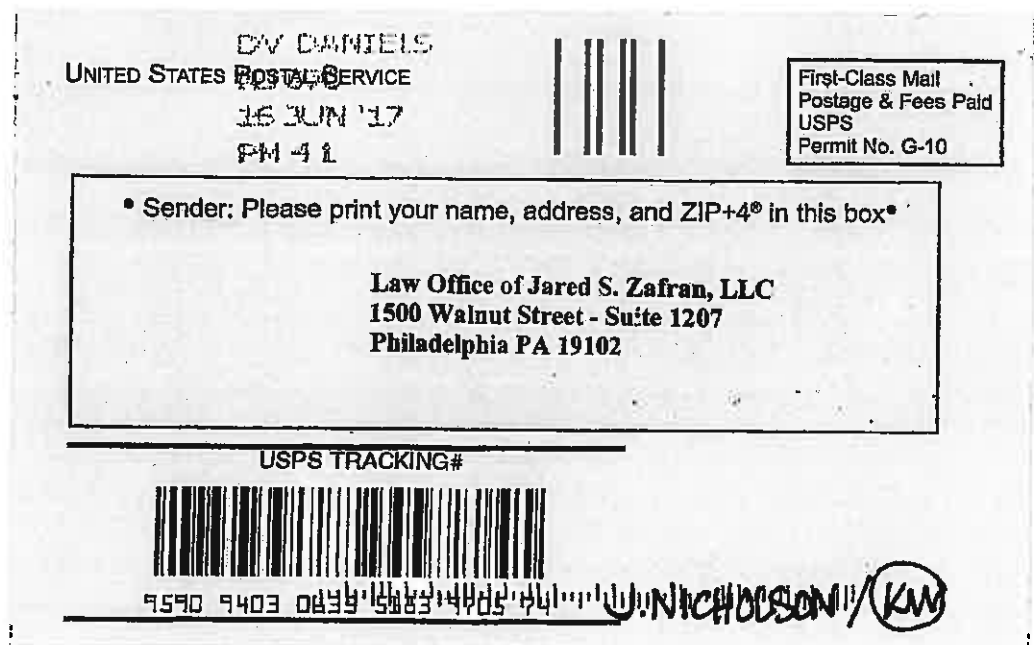
# *EXHIBIT*

## *A*

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY			
<p> <input type="checkbox"/> Complete items 1, 2, and 3.  <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p><b>RUSSELL REID WASTE HAULING &amp; DISPOSAL 200 SMITH STREET KEARNEY, NJ 08832</b></p>  <p><b>9590 9403 0635 5183 9705 74</b></p>		<p>A. Signature: </p> <p>B. Received by (Printed Name): </p> <p>C. Date of Delivery: </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: </p>			
<p>2. Article Number (Transfer from service label)</p> <p><b>7015 1730 0000 4335 7644</b></p>		<p>3. Service Type</p> <table border="0"> <tr> <td> <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery </td> <td> <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery </td> </tr> </table>		<input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery				

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt





**EXHIBIT “D”**



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## Civil Docket Report

A \$5 Convenience fee will be added to the transaction at checkout.

**Case Description**

**Case ID:** 170600052  
**Case Caption:** NICHOLSON VS CIAK ETAL  
**Filing Date:** Saturday , June 03rd, 2017  
**Court:** MAJOR JURY-EXPEDITED  
**Location:** City Hall  
**Jury:** JURY  
**Case Type:** MOTOR VEHICLE ACCIDENT  
**Status:** WAITING TO LIST CASE MGMT CONF

**Related Cases**

*No related cases were found.*

**Case Event Schedule**

*No case events were found.*

**Case motions**

*No case motions were found.*

**Case Parties**

Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	ZAFRAN, JARED S
<b>Address:</b>	LAW OFFICE OF JARED S. ZAFRAN, 1500 WALNUT STREET SUITE 1207 PHILADELPHIA PA 19102 (215)587-0038	<b>Aliases:</b>	none	
2	1		PLAINTIFF	NICHOLSON JR, JAMES
			none	

<b>Address:</b>	1020 WEST ROCKLAND STREET PHILADELPHIA PA 19141	<b>Aliases:</b>	
3	6		DEFENDANT CIAK, FRANK
<b>Address:</b>	727 SWEDESBORO ROAD MONROEVILLE NJ 08343	<b>Aliases:</b>	<i>none</i>
4	6		DEFENDANT RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC
<b>Address:</b>	200 SMITH STREET KEARNEY NJ 08832	<b>Aliases:</b>	<i>none</i>
5		20-JUN- 2017	TEAM LEADER SHIRDAN-HARRIS, LISETTE
<b>Address:</b>	PHILADELPHIA	<b>Aliases:</b>	<i>none</i>
6			ATTORNEY FOR DEFENDANT BAER, FRANK W
<b>Address:</b>	GIBLEY & MCWILLIAMS 524 N PROVIDENCE RD MEDIA PA 19063 (610)627-9500	<b>Aliases:</b>	<i>none</i>
7	1		ATTORNEY FOR PLAINTIFF DEVINE, STEPHEN J
<b>Address:</b>	JARED S. ZAFRAN LAW OFFICE	<b>Aliases:</b>	<i>none</i>

	1500 WALNUT STREET SUITE 1207 PHILADELPHIA PA 19102 (215)587-0038		
8		TEAM LEADER	NEW, ARNOLD L
<b>Address:</b>	606 CITY HALL PHILADELPHIA PA 19107 (215)686-7260	<b>Aliases:</b>	<i>none</i>

**Docket Entries**

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
03-JUN-2017 11:20 PM	ACTIVE CASE			05-JUN-2017 10:53 AM
<b>Docket Entry:</b>	E-Filing Number: 1706005822			
03-JUN-2017 11:20 PM	COMMENCEMENT OF CIVIL ACTION	ZAFRAN, JARED S		05-JUN-2017 10:53 AM
<b>Documents:</b>	<a href="#">Final Cover</a>			
<b>Docket Entry:</b>	<i>none.</i>			
03-JUN-2017 11:20 PM	COMPLAINT FILED NOTICE GIVEN	ZAFRAN, JARED S		05-JUN-2017 10:53 AM
<b>Documents:</b>	<a href="#">J NICHOLSON V CIAK A RR WASTE 20170602145423.pdf</a>			
<b>Docket Entry:</b>	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			
03-JUN-2017 11:20 PM	SHERIFF'S SURCHARGE 2 DEFTS	ZAFRAN, JARED S		05-JUN-2017 10:53 AM
<b>Docket Entry:</b>	<i>none.</i>			

03-JUN-2017 11:20 PM	WAITING TO LIST CASE MGMT CONF	ZAFRAN, JARED S		05-JUN-2017 10:53 AM
<b>Docket Entry:</b>	<i>none.</i>			
15-JUN-2017 04:52 PM	AFFIDAVIT OF SERVICE FILED	ZAFRAN, JARED S		16-JUN-2017 09:33 AM
<b>Documents:</b>	<a href="#">NICHOLSON V CIAK AOS CERT_20170615164049.pdf</a>			
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF PLAINTIFF'S COMPLAINT UPON FRANK CIAK BY CERTIFIED MAIL ON 06/12/2017 FILED. (FILED ON BEHALF OF JAMES NICHOLSON)			
19-JUN-2017 10:58 AM	ENTRY OF APPEARANCE	BAER, FRANK W		19-JUN-2017 11:32 AM
<b>Documents:</b>	<a href="#">EOA6-19-17.pdf</a>			
<b>Docket Entry:</b>	ENTRY OF APPEARANCE OF FRANK W BAER FILED. (FILED ON BEHALF OF RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC AND FRANK CIAK)			
19-JUN-2017 10:58 AM	JURY TRIAL PERFECTED	BAER, FRANK W		19-JUN-2017 11:32 AM
<b>Docket Entry:</b>	12 JURORS REQUESTED.			
19-JUN-2017 11:33 AM	TRANSFERRED TO MAJOR JURY			19-JUN-2017 12:00 AM
<b>Docket Entry:</b>	<i>none.</i>			
19-JUN-2017 11:33 AM	WAITING TO LIST CASE MGMT CONF			19-JUN-2017 12:00 AM
<b>Docket Entry:</b>	<i>none.</i>			
20-JUN-2017 08:52 AM		DEVINE, STEPHEN J		20-JUN-2017 12:16 PM

	ENTRY OF APPEARANCE-CO COUNSEL			
<b>Documents:</b>	<a href="#">EOA- SJD.pdf</a>			
<b>Docket Entry:</b>	ENTRY OF APPEARANCE OF STEPHEN J DEVINE AS CO-COUNSEL FILED. (FILED ON BEHALF OF JAMES NICHOLSON)			
23-JUN-2017 03:18 PM	AFFIDAVIT OF SERVICE FILED	ZAFRAN, JARED S		23-JUN-2017 04:47 PM
<b>Documents:</b>	<a href="#">J NICHOLSON AOS RUSSELL REID 20170623145655.pdf</a>			
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF PLAINTIFF'S COMPLAINT UPON RUSSELL REID WASTE HAULING AND DISPOSAL SERVICE CO., INC BY CERTIFIED MAIL ON 06/23/2017 FILED. (FILED ON BEHALF OF JAMES NICHOLSON)			

[▶ Case Description](#)[▶ Related Cases](#)[▶ Event Schedule](#)[▶ Case Parties](#)[▶ Docket Entries](#)[E-Filing System](#)[Search Home](#)